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9 Attorneys for Creditor,
10 RED TOP ELECTRIC CO., EMERYVILLE, INC.

11 **UNITED STATES BANKRUPTCY COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

13 In re:

14 PG&E CORPORATION

15 -and-

16 PACIFIC GAS & ELECTRIC
17 COMPANY,

18 Debtors.

Bankruptcy Case Nos. 19-30088 (DM) (Lead Case)
19-30089 (DM)

Chapter 11

(Jointly Administered)

**NOTICE PURSUANT TO 11 U.S.C. SECTION
546(b)(2) RELATED TO PERFECTION,
MAINTENANCE AND ENFORCEMENT OF
MECHANICS LIEN CLAIM**

- 19 ☒ Affects PG&E Corporation
20 ☐ Affects Pacific Gas and Electric
21 Company
22 ☐ Affects both Debtors

23 *All papers shall be filed in the Lead Case,
24 No. 19-30088 (DM)

25 PLEASE TAKE NOTICE that **Red Top Electric Co., Emeryville, Inc.** ("RED TOP" or
26 "Creditor") acted as a subcontractor on a PG&E Warehouse, 3150 Geneva Avenue, in Brisbane,
27 California and further described in the attached Mechanics Lien ("Property") under a certain Master
28 Subcontract dated August 13, 2015 and Subcontract Work Order ("Subcontract"), dated August 27,
2018, by and between RED TOP and Turner Construction Company ("Turner"). PG&E Corporation
("PG&E") is listed as the owner of the subject property that comprises the construction project, which
project is further referred to as Project #180027 ("Project"). RED TOP was hired to provide electrical,

NOTICE OF PERFECTION OF MECHANICS LIEN (RED TOP ELECTRIC CO., EMERYVILLE, INC.)

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1 fire alarm, low voltage and security work, and related labor, services, equipment, materials, and
2 related construction work on the Project (collectively, the "Work"). The Work under the Contract is a
3 "work of improvement" as defined under California Civ. Code § 8050(a).

4 Under California Civ. Code § 8414,

5 A claimant other than a direct contractor may not enforce a lien unless the claimant records a
6 claim of lien within the following time frames:

7 (a) After the claimant ceases to provide work.

8 (b) Before the earlier of the following time frames:

9 (1) Ninety days after completion of the work of improvement.

10 (2) Thirty days after the owner records a notice of completion or cessation.

11 Likewise, California Civ. Code § 8460(a) provides that,

12 (a) The claimant shall commence an action to enforce a lien within 90 days after
13 recordation of the claim of lien. If the claimant does not commence an action to enforce
the lien within that time, the claim of lien expires and is unenforceable.

14 Pursuant to 11 U.S.C. § 546(b), RED TOP hereby gives notice in lieu of the commencement of
15 any such action to perfect, maintain, or continue RED TOP's lien. Accordingly, RED TOP requests
16 adequate protection of its lien. A true and correct copy of RED TOP's lien recorded in San Mateo
17 County is attached hereto as **Exhibit "A."**

18 RED TOP asserts a secured interest in the Property to the fullest extent allowed by applicable
19 law, including interest. Further, RED TOP reserves the right to supplement and/or amend this Notice,
20 and reserves any and all other rights under applicable law.

21 Dated: October 7, 2019

SWEENEY, MASON, WILSON & BOSOMWORTH

By: /s/ William M. Kaufman

JOSEPH M. SWEENEY, ESQ.

WILLIAM M. KAUFMAN, ESQ.

Attorneys for GOLDEN BAY FENCE IRON WORKS, INC.

CERTIFICATE OF SERVICE

25 I hereby certify that on October 7, 2019, a copy of the foregoing Notice of Perfection of
26 Mechanics Lien Pursuant to Section 546(b) was filed electronically with the Clerk of Court using the
27 CM/ECF system. Notice of this filing will be sent to all counsel and/or parties by operation of the
court's electronic filing system.

28 /s/ Carol L. Mueller

EXHIBIT “A”
(to Ntc re Perfection)

RECORDING REQUESTED BY

Red Top Electric Co.,
Emeryville, Inc.

AND WHEN RECORDED MAIL TO

Joseph M. Sweeney, Esq.
Sweeney, Mason, Wilson & Bosomworth
983 University Avenue, Suite 104C
Los Gatos, CA 95032

2019-063483

2:00 pm 08/09/19 MLL Fee: 102.00

Count of Pages 2

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



* \$ R 0 0 0 2 7 3 8 0 3 0 \$ *

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MECHANICS LIEN

The undersigned, Red Top Electric Co., Emeryville, Inc., 6751 Southfront Road, Livermore, CA 94551, Claimant, claims a Mechanics Lien upon the following described real property: Pacific Gas & Electric Warehouse, 3150 Geneva Avenue, Brisbane, CA 94005 (County of San Mateo)

The sum of \$208,452.40, plus interest at the legal rate from the date payment became due; is due claimant (after deducting all just credits and offsets) for the following labor, and materials furnished by claimant, Red Top Electric Co., Emeryville, Emeryville, Inc.: Electrical/Fire Alarm/Low Voltage and Security work

Claimant furnished the work and materials at the request of, or under contract with Turner Construction Company, 300 Frank H. Ogawa Plaza #510, Oakland, CA 94612

The owners and reputed owners of the property are: Pacific Gas & Electric, 77 Beale Street 24th floor, San Francisco, CA 94105

RED TOP ELECTRIC CO., EMERYVILLE, INC.

Date: June 24, 2019

By: 
Michael G. Curran, President

VERIFICATION

I, the undersigned, say I am the President for Red Top Electric Co., Emeryville, Inc., the Claimant of the foregoing Mechanics Lien. I have read said claim of Mechanics Lien and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury of the laws of California that the foregoing is true and correct. Executed on June 24, 2019 at Livermore, California.


Michael G. Curran

**NOTICE OF MECHANICS LIEN
ATTENTION!**

Upon the recordation of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date that mechanics lien is recorded.

The party identified in the mechanic's lien may have provided labor or materials for improvements to your property

and may not have been paid for these items. You are receiving this notice because it is a required stop in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanic's lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT www.cslb.ca.gov.

PROOF OF SERVICE AFFIDAVIT

California Civil Code Section 8416 (a)(7), (c)(1)

On July 24, 2019, I, Carol L. Mueller, served a copy of this MECHANICS LIEN and NOTICE OF MECHANICS LIEN by U.S. Certified Mail, evidenced by a certificate of mailing, postage prepaid, addressed to the following owner(s) or reputed owner(s) of the property: Pacific Gas & Electric, 77 Beale Street 24th floor, San Francisco, CA 94105 and Turner Construction Company, 300 Frank H. Ogawa Plaza #510, Oakland, CA 94612.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: July 24, 2019



Carol L. Mueller